97-84107-6

Committee on the Harbor and Shipping...

New York Central west side plans

[New York]

[1916]

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⌙   5  049     PR1A ↔
⌙   6  110 1   Committee on the Harbor and Shipping (New York, N.Y.) ↔
⌙   7  245 10  New York Central west side plans ▾h [microform]. ↔
⌙   8  260     [New York : ▾b s.n., ▾c 1916] ↔
⌙   9  300     7 p. ; ▾c 22 cm. ↔
⌙  10  500     Caption title. ↔
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To the Members of the Chamber of Commerce:

The following report will be acted upon at the Special Meeting, June 30, 1916.

CHARLES T. GWYNNE,
Secretary.

NEW YORK CENTRAL WEST SIDE PLANS

To the Chamber of Commerce:

In the report submitted by the Committee on the Harbor and Shipping at the June meeting of the Chamber, it was made clear that the proposed contract between the City and the New York Central Railroad was not before the Committee and the report was only upon the resolution of MR. TOMKINS referred to it at the meeting in May. After the June meeting, a number of requests were made that the Chamber take action upon the pending New York Central-City contract, and the President requested the Committee to formulate a report to be submitted at a special meeting.

As was indicated in the report made at the June meeting, the Committee believed that the proposed contract, the result of long negotiations between the Committee on Port and Terminal Facilities of the Board of Estimate and Apportionment and the New York Central Railroad, if adopted, will settle the long-pending controversy, concerning the West Side surface freight tracks, and should be approved unless some objection of controlling importance was advanced.

While the Committee did not at that time have the proposed contract before it for specific consideration, it pointed out the importance to the City of the maintenance of the rail facilities of the New York Central Road on the West Side of Manhattan and the undoubted right of that Road to a continuance of facilities at least equal to those which it now enjoys.

Your Committee believes that it is not within the province of a commercial body to pass judgment upon the intricate engineering and financial details necessarily a part of such a contract. Approval or disapproval by this Chamber must be based upon broad principles, and the Committee accepts the statement of the Terminal Committee of the Board of Estimate that the financial features of the proposed contract have been carefully safeguarded and the engineering and landscape details been approved by competent professional judgment.

It is natural that a difference of opinion should arise over the merits of many details of a matter of such far-reaching importance, but the Committee submits that the views of the City officials who have given long and intimate study to the problem should be upheld, unless a positive and important reason to the contrary be advanced.

Your Committee has studied many of the various reports which have been made upon the proposed contract, and has conferred with the Commissioner of the Department of Docks and Ferries, and with some of those representing the associations most active in their opposition, and as a result reports that it has learned of no objection in its judgment of sufficient importance to warrant disapproval, but on the contrary recommends to the Chamber that the contract be approved. Minor inequalities may exist, but in such an adjustment both contracting parties must give and take to some extent, and it is the opinion of your Committee that the officials of the City deserve praise instead of criticism for their work.

The principal objections to the contract may be roughly divided into five parts:

First. *Criticism of the Riverside parking treatment.* In matters of artistic character there is of course room for endless difference of opinion and your Committee has been able to give only a general survey to this phase of the problem. That some temporary inconvenience may be occasioned to the West Side residents is true; but the importance to the commercial interests of the City of the New York Central freight facilities is so great, that final judgment must rest upon the basis of the greatest good to the greatest number. The inconvenience can be in no way comparable to that suffered by the business community during subway construction through the down-town thoroughfares. When the work has been completed, it is the opinion of your Committee that it will be left within the control of the City itself to see that the conditions of Riverside Drive and Park shall be made far better than at present.

Second. *A claimed monopoly of the upper West Side waterfront by the New York Central Railroad.* The Committee is assured by the Commissioner of Docks and Ferries that space for a marginal way, with adequate access to it, has been reserved along far the greater portion of the front, and excepting in the case of only two limited sections where the fee to the waterfront goes to the Railroad Company. At the two points mentioned, where for railroad purposes it is essential

the New York Central should control the waterfront, the City has relinquished to the railroad the street areas which now divide the railroad property. Your Committee believes this to be essential, if facilities satisfactory to the commercial interests of the City are to be created.

Third. *Objection to the valuation of certain properties.* Your Committee submits that it cannot pass upon details of this character. The full detailed figures have been published and are accessible to everyone. Some investigation was made which did not disclose injustice to the City and the Committee feels it must accept the judgment of the City officials upon the question of values.

Fourth. *The claim that the proposed plan will exclude access to Manhattan by the roads terminating in New Jersey.* Your Committee seriously doubts whether these roads will ever desire an elevated freight structure and submits that there are many advantages in the waterfront terminals now in use, and that opportunity will remain for an elevated freight structure, or a subway, if required.

Fifth. *The claim that the structure should follow the marginal way.* Your Committee submits that the proposed route is preferable for it does not obstruct the marginal way, and can more readily serve property on either side.

In view of the foregoing, your Committee recommends that the Chamber approve the proposed contract between the City and the New York Central Railroad.

Respectfully submitted,

Irving T. Bush, *Chairman*
Laurence B. Stoddart
Lloyd B. Sanderson
Albert Strauss
John F. Wallace
Clarence H. Kelsey

Of the Committee on the Harbor and Shipping.

New York, *June 15, 1916.*

COMMUNICATION FROM DOCK COMMISSIONER

The following letter from the Commissioner of Docks and Ferries, refers especially to Objection Second, in the foregoing report:

[COPY]

THE CITY OF NEW YORK
DEPARTMENT OF DOCKS AND FERRIES
OFFICE OF THE COMMISSIONER

PIER A, NORTH RIVER, *June 15, 1916.*

R. A. C. SMITH, *Commissioner,*

MR. IRVING T. BUSH, *Chairman,*
Committee on the Harbor and Shipping,
Chamber of Commerce.

MY DEAR SIR:

On Monday last you were good enough to grant me a hearing before your Committee in the matter of the New York Central West Side Improvement. You also had present on that occasion a representative from a civic organization in opposition to the plans, in order that you might have before you both sides of the questions which required your consideration.

At that time it was charged that the plans of the Port and Terminal Committee gave to the New York Central control of the waterfront from Spuyten Duyvil to 59th Street; or at least that was my understanding of the speaker's views.

Notwithstanding the fact I contradicted this very broad assertion, I felt your Committee was entitled to all the information available and should know definitely and conclusively that no such rights were claimed by the railroad and that the City would not admit such rights if they were claimed.

The Terminal Committee was acting with full knowledge of what the City's rights were and how far the City should go in the matter of waterfront use by the railroad under the new plan. So that your Committee need not depend solely upon my statement, I offered, and your Committee accepted, to file with you a complete report from this office, approved by the Corporation Counsel concerning the railroad company's rights to the waterfront. Since it would entail an extremely lengthy report to cover the entire question of title and grants of the

waterfront throughout this territory, I requested the railroad company to confirm the understanding of the Port and Terminal Committee in reference to this question. I therefore beg to quote you the following communication received from the railroad company:

THE NEW YORK CENTRAL RAILROAD COMPANY
LAW DEPARTMENT

NEW YORK, *June 15, 1916.*

HON. R. A. C. SMITH,
Commissioner of Docks and Member of the
Port and Terminal Committee of the Board
of Estimate and Apportionment of the City of New York.

DEAR SIR:

Referring to the assertion that, under the plans and profiles prepared by the Port and Terminal Committee, and submitted to this Company by the Board of Estimate and Apportionment under Chapter 777 of the Laws of 1911, this Company would have access to and control of the entire waterfront on the Hudson River from 59th Street to Spuyten Duyvil, which you advise me has been made to the Committee on Harbors and Shipping of the Chamber of Commerce of the State of New York; and referring also to the meeting of the Port and Terminal Committee of the Board of Estimate and Apportionment on Tuesday of this week at which I was present, I beg to say:

(1) There is absolutely nothing in this assertion.

(2) The points of access to the waterfront between these points to which this Company will have a right under these plans and profiles are well and clearly defined thereon, and these points are two only, one at Manhattanville, and one at the 60th Street Yard. At each of these points the Company surrenders and grants to the City a certain portion of the waterfront and right of access which it now owns.

(3) As I stated to the full Port and Terminal Committee of the Board of Estimate and Apportionment at the meeting on Tuesday, this Company has not claimed and does not claim that it will have any right of access to the Hudson River or to the control of such access between these points, other than at Manhattanville and the 60th Street Yard, and as shown on these plans and profiles; that it would

have no such rights if nothing whatever were said about it in the agreement other than the limitations which the plans and profiles show; but in order that there may be no possible question about it in the mind of anyone, I stated and now repeat to you, that the Company has no objection whatsoever to a provision to this effect being inserted in the written agreement between the City and the Railroad Company.

Yours truly,

(Signed) IRA A. PLACE,

Vice-President."

I am also authorized by His Honor, the Mayor, to inform you that at a meeting of the Port and Terminal Committee held on Tuesday last, to which was invited officers of the railroad company, the question of the sub-surface rights in the territory which the railroad is acquiring south of 30th Street was fully discussed and any possibility of monopoly however remote cleared up entirely by the communication which the Railroad Company has forwarded to His Honor, the Mayor, from which I quote you as follows:

> As you are well aware, one important feature of the modifications which have been proposed by the City is that the plans to be adopted should not interfere with such future development as the City may desire to have made; that as distinguished from the original plans of the Railroad Company, the plans now under consideration fully eliminate that objection.
>
> As I stated to the Committee, and as I now repeat to you, in order to insure the present attitude of the Company in regard to this matter, the Company is willing that there shall be a provision inserted in the written agreement to be executed between the City and the Company to the effect that, so far as this private right of way is concerned, between but not including terminals, in case hereafter any terminal plan shall be made or approved by the City under which sub-surface easements or rights in or to this private right of way are necessary or required, the Company will not, in case of disagreement as to the terms upon which any such easement, which will not interfere with the proper construction, maintenance and operation of its Railroad, shall be acquired, interpose in any condemnation proceeding the defense that the property is already devoted to public use and that such easement cannot therefore be acquired. In other words, this Company will stand, with respect to the acquisition of any such easement, its railroad structures being properly protected, in the same position as an individual owner.

The foregoing communication was signed by MR. PLACE, Vice-President.

If in the further deliberations of your Committee you require additional information from the Port and Terminal Committee do not hesitate to advise us.

Very truly yours,

(Signed) R. A. C. SMITH,

Commissioner of Docks.

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TITLE